

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Case No. 2:22-cr-00190-APG-NJK

Plaintiff,

V.

KRYSTAL BAUMGARDNER,
Aka: Krystal Millner,

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

Defendant.

[Docket No. 12]

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. On August 30, 2022, a federal grand jury returned an indictment charging "Krystal Baumgardner aka: Krystal Millner" with health care fraud and monetary transactions in criminal derived property. ECF No. 1.

2. Although the indictment names the defendant as "Krystal Baumgardner," defendant's name is actually spelled "Krystal Bumgardner."

3. The parties agree that the misspelling of defendant's name is a non-substantive typographical error unrelated to the elements of the offense and did not mislead the defendant.

4. The parties agree to amend the indictment to reflect defendant's true name.

CONCLUSIONS OF LAW

Because changing the spelling of defendant's last name is a non-substantive amendment to correct a typographical error and because the parties agree to the amendment, the Court has the authority to amend the indictment to reflect the true spelling of defendant's name. *See United States v. Neill*, 166 F.3d 943, 947-48 (9th Cir. 1999).

1 **ORDER**

2 IT THEREFORE ORDERED that the Indictment (ECF No. 1) be amended to
3 reflect defendant's name as Krystal Bumgardner.

4 IT IS FURTHER ORDERED that the docket be amended to reflect defendant's
5 name as Krystal Bumgardner.

6 DATED this 21st day of September 2022.

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8 Nancy J. Koppe
9 United States Magistrate Judge

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